REMARKS

The Applicant has now had an opportunity to carefully consider the comments set forth in the Office Action mailed February 9, 2006. All of the rejections are respectfully traversed. Amendment, reexamination and reconsideration of the application in view of the following remarks are respectfully requested.

The Office Action

In the Office Action mailed February 9, 2006:

claims 2, 4, 5, 7, 8, 10-13, 18, 20 and **23-28** were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,813,010 to Okamoto, et al. ("Okamoto") in view of U.S. Patent No. 6,002,798 to Palmer, et al. ("Palmer");

claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer and further in view of U.S. Patent No. 5,276,616 to Kuga, et al. ("Kuga");

claims 15 and **16** were rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer and further in view of U.S. Patent No. 4,903,229 to Schmidt, et al. ("Schmidt");

claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over and allegedly obvious combination of four references including Okamoto, Palmer, Schmidt and U.S. Patent No. 6,064,397 to Herregods, et al. ("Herregods");

claim 21 was rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer and further in view of U.S. Patent No. 6,336,124 to Alam, et al. ("Alam"); and

claim 22 was rejected under 35 U.S.C. §103(a) as being unpatentable over Palmer in view of U.S. Patent No. 6,834,276 to Jensen, et al. ("Jensen").

Reply to Response to Arguments

The Applicant respectfully disagrees with a number of points, analogies and paths of reasoning presented in the Response to Arguments section of the Office Action.

For example, with regard to the recitation in claim 2 of --a user indicating at least one of a font size, a font style, a text string, a text location description, a

predetermined machine readable symbol and a specific point coordinate within the document-- page 12 of the Office Action indicates that since Palmer indicates that an operator has an option of selecting an index level, this suggests an operator can input a selection. However, it is respectfully submitted that a general suggestion that an operator can make a selection is a far cry from disclosing or suggesting the specific selection recited in **claim 2**. While Palmer discloses that an operator can select to generate an index with, for example, title regions only, <u>Palmer does not disclose or suggest that an operator can change **the definition** of what constitutes a title region</u>. In stark contrast, the user defined subsection delimiter definition disclosed and claimed in the present application gives the operator or user that very flexibility. <u>Furthermore, Okamoto does not disclose or suggest that any flexibility is needed or desired in the selection of segmentation codes and the disclosure of index level selections in Palmer is not fairly construed as suggesting segmentation code selections in Okamoto</u>.

In this regard, the attention of the Examiner is directed toward the discussion of *In re Fine* found in MPEP 2143.01, (I) which explains that the court found there was no support or explanation for the conclusion that one of ordinary skill in the art would substitute one type of detector for another in the system of the primary reference where the claims were directed to a system for detecting and measuring minute quantities of nitrogen compounds comprising: a gas chromatograph, a converter which converts nitrogen compounds into nitric oxide by combustion, and a nitric oxide detector and where the primary reference disclosed a system for monitoring sulfur compounds comprising a chromatograph, combustion means and detector, and the secondary reference taught nitric oxide detectors. <u>It is respectfully submitted that if it was not obvious to replace one detector with another in *In re Fine*, it is not obvious for a user to select one or more of the elements recited in **claim 2** in light of Palmer and Okamoto</u>.

Another assertion made in the Response to Arguments section of the Office Action is that commas and semi colons are fairly construed as text location descriptions, predetermined machine readable symbols and/or specific point coordinates within a document. The Examiner is reminded that <u>it is the Examiner and a Primary Examiner that suggested both the phrases --predetermined machine readable symbol-- and --specific point coordinate within the document--as language</u>

that would read away from ordinary text that is processed through optical character recognition. In this regard, the attention of the Examiner is directed toward the interview summary mailed June 16, 2004, which acknowledges that the Examiner suggested some claim language and the interview summary provided by the Applicant on page 15 of Applicant's Amendment D which was mailed on August 6, 2004.

In any event, it is respectfully submitted that the phrase --a predetermined machine readable symbol-- is a reference to elements such as bar codes and data glyphs that are meant to be read by a machine to communicate information to the machine, and <u>punctuation marks such as commas and semi colons are clearly not examples of such predetermined **machine readable** symbols</u>.

Furthermore, it is respectfully submitted that commas and semi colons are not fairly construed to be specific point coordinates within a document. Clearly, the word coordinate refers to some numerical representation of a position. Similar remarks are submitted with regard to the phrase --a text location description--. In this regard, the attention of the examiner is directed toward page 6, line 19 – page 7, line 19, generally, and page 6, lines 24-26; page 6, lines 27-28; and page 7, lines 9-13, more particularly. A comma is not a location and a comma is not a coordinate. In this regard, it is noted that it was the Examiner that suggested the word – description-- be added to the recitation of --text location--. For example, see **claim 2** as originally filed and the interview summaries referenced above.

The Applicant also takes issue with the assertion of the Office Action that Okamoto uses segmentation codes to further determine whether a sentence is a chapter heading. It is respectfully submitted that this is an error in fact. The segmentation codes of Okamoto are used only to identify every sentence or part of a sentence in a document. --The input document data is segmented in units of blocks at the segmentation codes. In this case, the segmentation sentence length is measured by counting characters. If the measured value falls within a predetermined value, the sentence is determined as having the possibility of being a heading sentence-- (column 5, lines 25-29). At that point, a very long procedure, outlined from column 5, line 30 – column 7, line 57, is performed that identifies only a fraction of the identified sentence portions as items to be included in the document architecture of Okamoto. In the method recited in **claim 2** of the present

application, an item that matches the delimiter definition is immediately determined to be an item to be included in the index. In the method of Okamoto, the segmentation codes merely identify portions of a document to be further analyzed. Therefore, Okamoto does not disclose or suggest generating the index for the document with found items corresponding to the subsection delimiter occurrences. Additionally, there is no motivation to combine Okamoto and Palmer. In this regard, at the bottom of page 12 and top of page 13, the Office Action asserts that "because both Okamoto and Palmer both teach searching for certain text and item occurrences for easier retrieval of certain section or portion of a document, there is motivation to combine the two prior art." In this regard, the attention of the Examiner is directed toward MPEP 2143.01, (III). Section III points out that the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. In this regard, it is respectfully submitted that the only motivation to combine Okamoto and Palmer is found in the subject matter of the present application.

Lastly, it is respectfully submitted that disclosure of displaying a structural view of a document does not disclose or suggest displaying an index. A user interested in finding a particular piece of information would find no useful information in an examination of the structural layout of a document as depicted in FIG. 8 – FIG. 10 of Palmer. An index or table of contents helps a person locate information quickly. Even if the desired information were included on the structural display of Palmer, a user would have to examine the structural layout of every page of the document in order to find the desired information. Clearly, this does not disclose or suggest displaying of an index or table of contents.

The Claims are not Obvious

Claim 22 was rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer in view of Jensen.

However, **claim 22** recites:

A method operative to automatically generate an index

for a document, the method comprising:

determining a sub-section delimiter definition including

at least one delimiter characteristic, wherein determining the sub-

section delimiter comprises **a user indicating** at least one of **a font size** and **a font style**;

searching the document to find occurrences of items corresponding to the defined sub-section delimiter; and,

generating the index for the document with found items corresponding to the sub-section delimiter occurrences.

It is respectfully submitted that <u>Palmer and Jensen do not disclose or suggest a user indicating at least one of a font size and a font style</u>. Even if Palmer discloses selecting an index level, such a disclosure does not disclose or suggest selecting the particular items recited in **claim 22**. Indeed, the Office Action stipulates that Palmer fails to teach that determining the subsection delimiter comprises a user indicating at least one of a font size and a font style and relies on Jensen for this disclosure. However, <u>Jensen does not disclose or suggest determining a subsection delimiter comprises a user indicating at least one of a font size and a font style</u>. Instead, the cited portion of Jensen, column 30, lines 15-20, is related to a highlighting function. In this regard, Jensen indicates that text can be highlighted from background text by changing the font, colors and styles of the text to be highlighted.

In this regard, it is respectfully submitted that <u>a proposed modification cannot change the principle of operation of a reference</u> (MPEP 2143.01, VI).

It is respectfully submitted that the *prima facie* case of obviousness cannot be established by taking words or concepts completely out of context and reassembling them according to portions of elements recited in a claim. Even if Palmer suggests making generic selections, and even if Jensen discloses selecting highlighting text by changing its boldness or making it italic (as illustrated in FIG. 10 of Jensen), the combination of those two concepts does not disclose or suggest determining a subsection delimiter by a user indicating at least one of a font size and a font style. Furthermore, <u>there is simply no motivation in the art to combine the highlighting technique selections of Jensen with the index level selection of Palmer</u>. Additionally, such a combination would not yield the subject matter of **claim 22**. Moreover, <u>any motivation to make such a combination could only have been found</u>

in the present application and the rejection of **claim 22** is based on impermissible hindsight.

For at least the foregoing reasons, **claim 22**, as well as **claim 24**, which depends therefrom, is not anticipated and is not obvious in light of Palmer and Jensen taken alone or in any combination.

Claims 2, 4, 5, 7, 8, 10-13, 18, 20 and **23-28** were rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer. However, independent **claim 2** has been amended to recite:

A method operative to automatically generate an index for a document, the method comprising:

determining a sub-section delimiter definition including at least one delimiter characteristic, wherein determining a sub-section delimiter comprises a **user indicating** at least one of a font size, a font style, a text string, a text location description, a predetermined machine readable symbol, and a specific point coordinate within the document **or** wherein determining a sub-section delimiter comprises **a user placing a predetermined machine readable symbol representing a demarcation point on a printed version of the document as the sub-section delimiter**;

searching the document to find **occurrences of items corresponding to the defined sub-section delimiter**; and,

generating the index for the document with **found items corresponding to the sub-section delimiter occurrences**.

It is respectfully submitted that Okamoto and Palmer do not disclose or suggest the **user indicating** any of the delimiter component elements recited in **claim 2** or using a predetermined machine readable symbol representing a demarcation point on a printed version of the document as the subsection delimiter. Moreover, Okamoto and Palmer do not disclose or suggest a user placing a predetermined machine readable symbol representing a demarcation point on a printed version of the document as is recited in the amended version of **claim 2** presented herein. The Office Action stipulates that Palmer does not disclose or suggest selecting a font size or a font style as part of a delimiter definition. As

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explained above, Jensen does not cure this deficiency. Okamoto only discloses punctuation marks as segmentation codes. <u>The punctuation marks of Okamoto are not fairly interpreted as text location descriptions, predetermined machine readable symbols, or specific point coordinates within a document</u>. The disclosure of selecting an index level in Palmer does not disclose or suggest selecting elements of a delimiter definition for **identifying** titles and the like. Even if the segmentation codes punctuation marks of Okamoto are considered to be text strings, <u>Okamoto and Palmer do not disclose or suggest **a user indicating** any of those symbols</u>.

Furthermore, **claim 2** has been amended to recite generating the index for the document with **all** found items corresponding to the subsection delimiter occurrences. As stipulated by the Office Action, Okamoto does not disclose or suggest generating an index. However, even if the document architecture of Okamoto is considered somehow analogous to an index, and even if the segmentation codes of Okamoto are considered to be analogous to the subsection delimiter recited in **claim 2**, Okamoto does not disclose or suggest generating the document architecture with **all** found items corresponding to the segmentation codes. Instead, the document architecture of Okamoto is based only on a small subset of items that survive the testing and analysis described, for example, beginning at column 5, line 25 – column 7, line 57, of Okamoto.

For at least the foregoing reasons, **claim 2**, as well as **claims 4**, **5**, **6** and **22**, which depend therefrom, is not anticipated and is not obvious in light of Okamoto and Palmer taken alone or in any combination.

It is respectfully submitted that the amendments to **claim 2** are supported throughout the specification. For example, a user placing a predetermined machine readable symbol on a printed version of a document is described on page 7, lines 9-13, and FIG. 6. Generating the index for the document with all found items corresponding to the subsection delimiter occurrences is at least implied in FIG. 2 (e.g., 226) and the discussion found, for example, on page 4, lines 7-25.

It is respectfully submitted that the amendments to claim 2 do not require a new search and, at a minimum, place the application in better condition for appeal. For example, a user placing a predetermined machine readable symbol representing a demarcation point on a printed version of the document was previously presented in **claim 20** in the recitation regarding --marking a paper

version of the document--. Generating the index for the document with all found items corresponding to the subsection delimiter occurrences was presented, for example, in the recitation of --creating the index for the document from the found subsection delimiter occurrences-- presented in **claim 1** as originally filed. **Claim 7** recites:

A method operative to automatically generate an index for a document, the method comprising:

determining a sub-section delimiter definition including at least one delimiter characteristic, wherein determining a sub-section delimiter definition comprises **selecting an exemplary sub-section title**, performing one of document recognition and optical character recognition **on the selected exemplary sub-section title** to determine at least one recognized property, and using the at least one recognized property of the exemplary sub-section title as a sub-section delimiter definition;

searching the document to find occurrences of items corresponding to the defined sub-section delimiter; and,

generating the index for the document with found items corresponding to the sub-section delimiter occurrences.

The Office Action stipulates that Okamoto does not disclose or suggest selecting an exemplary subsection title and appears to rely on Palmer for this disclosure. However, the Office Action does not identify a portion of Palmer that discloses selecting an exemplary subsection title, determining at least one recognized property of the exemplary subsection title, **using the at least one recognized property of the exemplary subsection title as a subsection delimiter definition**, searching the document to find occurrences of items corresponding to the defined subsection delimiter and generating an index for the document with found items corresponding to the subsection delimiter occurrences. Therefore, Okamoto and Palmer do not disclose or suggest a system for searching for subsection titles or other table of contents or index information that is customizable on a document-by-document basis by indicating to index or table of contents generating software what the characteristics of a subsection title or other

element of a document to be included in an index are in a particular document. Instead, it is respectfully submitted that Palmer discloses a method using rule based decisions and does not disclose or suggest that those rules are defined by a system user or are based on the selection and analysis or property determination of an exemplary subsection title as recited in claim 7 (e.g., see column 5, line 56 – column 6, line 6, of Palmer).

For at least the foregoing reasons, **claim 7**, as well as **claim 8**, which depends therefrom, is not anticipated and is not obvious in light of Okamoto and Palmer taken alone or in any combination.

Additionally, **claim 8** recites:

The method operative to automatically generate an index for a document of claim 7 wherein selecting an exemplary sub-section title comprises:

displaying a plurality of document pages on a user interface;

selecting at least one demarcation point on at least one of the plurality of pages ; and,

using the at least one demarcation point as the defined sub-section delimiter.

In explaining the rejection of **claim 8**, the Office Action simply asserts that Palmer teaches that input is made by the user to input a selection regarding the index. It is respectfully submitted that **this is not even an assertion that Palmer discloses or suggests displaying a plurality of document pages on a user interface**, selecting at least one demarcation point on at least one of the plurality of pages and using the at least one demarcation point as the defined subsection delimiter as recited in **claim 8**.

For at least the foregoing additional reason, **claim 8** is not anticipated and is not obvious in light of Okamoto and Palmer taken alone or in any combination.

Independent **claim 10** recites *inter alia*:

a user interface operative to transfer information

between a document processor operator and portions of the document processor; and;

a delimiter designator module operative to communicate with the document processor operator through the user interface in order to generate at least one delimiter designation for the delimiter definition.

It is respectfully submitted that the Office Action does not appear to directly address **claim 10**. In any event, it is respectfully submitted that Okamoto and Palmer do not disclose or suggest a delimiter designator module operative to communicate with the document processor operator through the user interface in order to generate at least one delimiter designation for the delimiter definition. Palmer discloses a CPU offering an operator the option of selecting an index level. For example, the operator may select Level 1: Title Regions Only. However, Palmer does not disclose or suggest allowing the operator **to define the characteristics of a title region**. That is, Palmer does not disclose or suggest a delimiter designator module operative to communicate with the document process or operator through the user interface in order to generate at least one delimiter designation for the delimiter definition in a system wherein a delimiter searcher is operative to search for and record text and text location information regarding occurrences corresponding to the delimiter definition.

For at least the foregoing reasons, independent **claim 10**, as well as **claims 11-13**, **15-17**, **26** and **27**, which depend therefrom, is not anticipated and is not obvious in light of Okamoto and Palmer taken alone or in any combination.

Additionally, **claim 11** recites:

the delimiter designator is operative to accept an indication of at least one of a font size, a font style, a text string, a text location description, a predefined machine readable symbol, and a specific point coordinate within the document as a delimiter designation.

It is respectfully submitted that Okamoto and Palmer do not disclose or suggest a delimiter designator operative to accept an indication of any of the items

listed in **claim 11**. Furthermore, it is noted that the Office Action does not assert that Okamoto and Palmer make such a disclosure or suggestion.

Claim 12 recites:

wherein the delimiter designator is operative to display a plurality of document portions on the user interface for the document processor operator to view while determining the at least one delimiter designation.

It is respectfully submitted that Okamoto and Palmer do not disclose or suggest the subject matter of **claim 12**. Furthermore, the Office Action does not assert that Okamoto and Palmer disclose or suggest the subject matter of **claim 12**.

Claim 13 recites:

the user interface is operative to receive demarcation point designations from the document processor operator and deliver the demarcation point designations to the delimiter designator as delimiter designations.

It is respectfully submitted that Okamoto and Palmer do not disclose or suggest the subject matter of **claim 13**. Furthermore, it is respectfully submitted that the Office Action does not assert that Okamoto and Palmer disclose the subject matter of **claim 13**.

For at least the forgoing additional reasons, **claims 11-13** are not anticipated and are not obvious in light of Okamoto and Palmer taken a lone or in any combination.

Claims 26 and **27** recite respective portions of the subject matter of **claim 11**. **Claim 26** recites the delimiter designator is operative to accept an indication of at least one of a font size and a font style as the delimiter designation. In this regard, arguments similar to those submitted in support of **claim 11** with regard to font size and font style are submitted in support of **claim 26**. **Claim 27** recites the subject matter of **claim 26** and further recites a predetermined machine readable

symbol and a specific point coordinate within the document as a delimiter designation. In this regard, arguments similar to those submitted in support of related portions of **claim 11** are submitted in support of **claim 27**.

For at least the foregoing reasons, **claims 26** and **27** are not anticipated and are not obvious in light of Okamoto and Palmer taken alone or in any combination.

Claim 18 recites:

A method for dividing a document into separate sections, the method comprising:

scanning the document to generate scanned document data;

performing recognition functions on the scanned document data to generate a recognized version of the document ;

defining a sub-section delimiter, wherein defining the sub-section delimiter includes at least one of **a document processor operator building a sub-section delimiter definition from a list of predetermined potential sub-section delimiter components, a document processor operator entering a sub-section delimiter through keyboard keystrokes, entering a sub-section delimiter by selecting symbols on a displayed portion of the electronic version of the document, and designating at least one demarcation point on at least one displayed portion of the electronic document to create a list of demarcation points to be used as a set of delimiter definitions**;

searching the recognized version to find occurrences of items that correspond to the defined sub-section delimiter; and,

using the found items to separate the document into the separate sections.

It is respectfully submitted that Okamoto and Palmer do not disclose or suggest a document processor operator building a subsection delimiter definition. Furthermore, Okamoto and Palmer do not disclose or suggest a document processor operator building a subsection delimiter definition by any of the methods included in the highlighted portion of **claim 18**. Additionally, <u>it is respectfully</u>

submitted that the Office Action does not assert that Okamoto and Palmer disclose or suggest any of the highlighted portions of **claim 18**.

For at least the foregoing reasons, **claim 18** is not anticipated and is not obvious in light of Okamoto and Palmer taken alone or in any combination.

Independent **claim 20** recites *inter alia*:

defining a sub-section delimiter, wherein defining the sub-section delimiter comprises **marking** a paper version of the document with at least one <u>predetermined machine readable demarcation symbol</u> prior to scanning the document;

It is respectfully submitted that Okamoto and Palmer do not disclose or suggest at least this portion of **claim 20**. The phrase --predetermined machine readable demarcation symbol-- was suggested by the Examiners as a term that would read away from text (including the punctuation marks used as segmentation codes by Okamoto) and that would be understood to refer to symbols such as bar codes and data glyphs which are meant to be read exclusively by a machine. It is respectfully submitted that Okamoto and Palmer do not disclose or suggest marking a paper version of a document with at least one predetermined machine readable demarcation symbol.

Furthermore, even if the segmentation codes of Okamoto or text in general is to be considered to be predetermined machine readable demarcation symbols, Okamoto and Palmer do not disclose or suggest marking (or adding) such symbols to a paper version of a document prior to scanning. Instead, Okamoto uses segmentation codes that are part of the document itself and does not disclose or suggest marking the document with symbols specifically for the purpose of being used as demarcation symbols.

For at least the foregoing reasons, **claim 20** is not anticipated and is not obvious in light of Okamoto and Palmer taken alone or in any combination.

Claim 23 recites *inter alia*:

determining a sub-section delimiter definition including at least one delimiter characteristic, wherein determining a sub-section

delimiter comprises **a user indicating** at least one of **a font size, a font style**, <u>a predetermined machine readable symbol</u>, and <u>a specific point coordinate</u> within the document;

It is respectfully submitted that Okamoto and Palmer do not disclose or suggest at least this portion of **claim 23**. <u>The Office Action stipulates that Palmer does not disclose or suggest a user indicating at least one of a</u> **font size** and **a font style** and does not assert that either reference discloses or suggests <u>a user indicating a predetermined machine readable symbol or a specific point coordinate</u> within a document. Moreover, it is respectfully submitted that Okamoto and Palmer do not disclose or suggest **a user indicating** a font size, a font style, a predetermined machine readable symbol or a specific point coordinate within the document as part of a subsection delimiter determination. The punctuation marks or segmentation codes of Okamoto are not fairly read as predetermined machine readable symbols or specific point coordinate within a document. However, even if the segmentation codes of Okamoto are construed to be predetermined machine readable symbols or specific point coordinates, Palmer and Okamoto do not disclose or suggest a user indicating any of the segmentation codes.

For at least the foregoing reasons, **claim 23**, as well as **claim 25**, which depends therefrom, is not anticipated and is not obvious in light of Okamoto and Palmer taken alone or in any combination. Furthermore, Jensen does not cure the deficiencies of Palmer with regard to indicating a font size or a font style as part of a subsection delimiter determination or definition.

Claim 28 recites *inter alia*:

defining a sub-section delimiter; wherein defining the sub-section delimiter comprises at least one of a user building a sub-section delimiter from a list of predetermined potential sub-section delimiter components, performing statistical analysis on recognized characters to select characteristics that are most likely to be associated with sub-section delimiters, a user entering a sub-section delimiter by selecting symbols on a displayed portion of the electronic version of the document, and designating at least one demarcation

point on at least one displayed portion of the electronic document to create a list of demarcation points to be used as a set of delimiter definitions;

It is respectfully submitted that the Office Action does not specifically address **claim 28**. Additionally, it is respectfully submitted that Okamoto and Palmer do not disclose or suggest defining a subsection delimiter comprises any of: a user building a subsection delimiter from a list of predetermined potential subsection delimiter components, performing statistical analysis on recognized characters to select characteristics that are most likely to be associated with subsection delimiters, a user entering a subsection delimiter by selecting symbols on a displayed portion of the electronic version of the document or designating at least one demarcation point on at least one displayed portion of the electronic document to create a list of demarcation points to be used as a set of delimiter definitions.

For at least the foregoing reasons, **claim 28** is not anticipated and is not obvious in light of Okamoto and Palmer taken alone or in any combination.

Claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto in view of Palmer and further in view of Kuga. However, **claim 6** depends from **claim 2** and is not anticipated and is not obvious for at least that reason.

Claims 15 and **16** were rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer and further in view of Schmidt. **Claim 17** was rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer and Schmidt further in view of Herregods. However, **claim 15** depends from **claim 10**. **Claim 16** and **17** depend from **claim 15**. Therefore, **claims 15**, **16** and **17** depend from **claim 10** and are not anticipated and are not obvious in view of Okamoto, Palmer, Schmidt and Herregods taken alone or in any combination, for at least that reason.

Claim 21 was rejected under 35 U.S.C. §103(a) as being unpatentable over Okamoto in view of Palmer and further in view of Alam. However, **claim 21** depends from **claim 2** and is not anticipated and is not obvious in light of Okamoto, Palmer and Alam taken alone or in any combination, for at least that reason.

Telephone Interview

In the interests of advancing this application to issue the Applicant respectfully requests that the Examiner telephone the undersigned to discuss the foregoing or any suggestions that the Examiner may have to place the case in condition for allowance.

CONCLUSION

Claims 2, 4-8, 10-13, 15-18 and **20-28** remain in the application. **Claim 2** has been amended.

For at least the foregoing reasons, the application is in condition for allowance. Accordingly, an early indication thereof is respectfully requested. Alternatively, entry of the amendment in order to place the claims in better condition for appeal is respectfully requested.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

_3/1/06_
Date

Patrick R. Roche, Reg. No. 29,580
Thomas Tillander, Reg. No. 47,334
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2579
(216) 861-5582

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